

### **R E M A R K S**

Reconsideration of this application, as amended, is respectfully requested.

### **THE CLAIMS**

Claim 1 has been amended to clarify that the user operable section is operable by a user to designate the mail as important, and writes an important mail flag in the mail when the user designates the mail as important via the user operable section when the user requests transmission of the image data, as supported by the disclosure in the specification at, for example, page 8, lines 14-18 and page 10, line 27 to page 11, line 8.

In addition, claims 8 and 12 have been amended along the lines of claim 1.

No new matter has been added, and it is respectfully requested that the amendments to the claims be approved and entered.

### **THE PRIOR ART REJECTION**

Claims 1, 3, 8, 11, 12 and 14 were rejected under 35 USC 103 as being obvious in view of the combination of USP 6,700,674 ("Otsuka et al") and USP 6,850,757 ("Watanabe et al"). This rejection, however, is respectfully traversed with respect to the claims as amended hereinabove.

As recognized by the Examiner Otsuka et al discloses a mail flag 13g. However, according to Otsuka et al, the mail flag 13g is merely a flag that is turned on to indicate that facsimile transmission via the internet has been performed. See the disclosure in Otsuka et al at column 16, line 38 through column 17, line 32. It is respectfully pointed out, moreover, that the flag 13g of Otsuka et al is not written in a mail and is not included in a delivery confirmation mail, but rather is set in the RAM 13 according to Otsuka et al. See Fig. 6.

At the bottom of page 3 of the Office Action, the Examiner acknowledges that Otsuka et al does not disclose that the mail flag 13g is set in accordance with a user operation. For this reason, the Examiner has cited Watanabe et al to supply the missing teachings of Otsuka et al.

As recognized by the Examiner, Watanabe et al does disclose that a user may request the transmission of an arrival notification mail to his or her cellular phone 106. It is respectfully pointed out, however, that according to Watanabe et al, "when a user of the local mail client 103 is going out, the user is required to set the mail notification apparatus 100 to request for transmitting [sic] the arrival notification mail to the cellular phone 106. To set the request for transmitting the arrival notification mail, flags are provided in the HD section 208" (column 3, lines 45-50). In other words, according

to Watanabe et al, flags are set in the HD section 208 of the mail notification apparatus 100. And it is respectfully submitted that Watanabe et al does not disclose a user operable section which is operable by a user to designate the mail as important, and which writes an important mail flag in the mail when the user designates the mail as important via the user operable section when the user requests transmission of the image data, as according to the claimed present invention.

Indeed, according to Watanabe et al, the flag is set for specific users, not for specific mail. That is, as explained at column 3, line 55 to column 5, line 67 of Watanabe et al, a user may request, by setting a flag in the mail notification apparatus 100, that the mail notification apparatus 100 checks the local mail server 102 for received email. In Watanabe et al, when an email is received, the mail notification apparatus 100 connects to the communication vender mail server 105 to send an email to the cellular phone 106 to the user who has requested notification of arrival of electronic mail.

In other words, Watanabe et al discloses setting a flag in a mail notification apparatus 100 (not in a designated mail) to cause the mail notification apparatus to check a mail account of a user for whom the flag is set, and to send a notification to the user when mail is present in the mail account. And it is respectfully submitted that Watanabe et al does not disclose

enabling a user to designate a mail as important and writing a flag in the designated mail. Instead, Watanabe et al discloses designating a user with a flag, and Watanabe et al discloses that the flag is set in a mail notification apparatus, not in a designated mail.

As pointed out hereinabove, Otsuka et al merely discloses a mail flag 13g that is turned on to indicate that facsimile transmission via the internet has been performed, wherein the flag 13g is not written in a mail and is not included in a delivery confirmation mail, but rather is set in a RAM 13.

It is respectfully submitted, therefore, that even if the teachings of Otsuka et al and Watanabe et al were combinable in the manner suggested by the Examiner, such combination would still clearly fail to achieve or render obvious a user operable section which is operable by a user to designate the mail as important, and which writes an important mail flag in the mail when the user designates the mail as important via the user operable section when the user requests transmission of the image data, as according to the claimed present invention.

In view of the foregoing, it is respectfully submitted that the present invention as recited in amended independent claims 1, 8 and 12, and claims 3, 11 and 14 respectively depending therefrom, clearly patentably distinguishes over Otsuka et al and Watanabe et al under 35 USC 103.

Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

/Douglas Holtz/

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